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OFFICE OF PETITIONS

In re Application of :
Peron : DECISION ON PETITION
Application No. 10/603,220 :
Filed: June 25, 2003 :
Docket No.: S01022.81003 :

This decision is in response to the petition to withdraw the holding of abandonment under 37 CFR 1.181 filed March 2, 2005.

The petition is hereby **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.181." This is not a final agency decision.

This application became abandoned December 14, 2004 for failure to timely submit a proper reply to the Notice of Allowance ("Notice") mailed September 13, 2004. The Notice set a three month statutory period of time for reply. Notice of Abandonment was mailed February 14, 2005.

Petitioners allege a response to the Notice of Allowance mailed April 6, 2004 was timely submitted on July 1, 2004 and consisted of a request for continued examination.

Petitioner is advised that in response to the request for continued examination submitted July 1, 2004, a Notice of Allowance and Issue Fee Due was mailed September 13, 2004 for which a response was not received.

Any request for reconsideration must be accompanied by evidence to sufficiently establish that a response to the Notice of Allowance was timely submitted on or before December 14, 2004.

ALTERNATE VENUE

Petitioners may wish to consider filing a petition stating that the delay in timely submitting a properly reply to the Notice

was unintentional or unavoidable pursuant to 37 CFR 1.137(b) and (a) respectively. See MPEP 711.03(c).

Further correspondence with respect to this matter should be addressed as follows:

By mail:

Mail Stop Petition

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(571) 273-8300

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Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.



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Petitions Attorney

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